



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Jiang et al
SERIAL NUMBER: 10/810,260 EXAMINER: Deborah C. Lambkin
FILING DATE: March 26, 2004 ART UNIT: 1625
FOR: NOVEL LAPACHONE COMPOUNDS AND METHODS OF USE THEREOF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT AND SPECIES ELECTION

In response to the Restriction Requirement and Species Election mailed December 19, 2006, Applicants elect Group V, claims 38-49 and 64, drawn to the compound of Formula V, compositions, methods of use and process of preparing. The Examiner has also requested that Applicants elect a single disclosed species. Applicants elect 2-methyl-11, 12-dehydronaphtho[1,2-b]thioxane-9,10-dione, which is identified as compound 9 in Figure 1 and Table 2.

Applicants respectfully traverse the requirement for species election. The compounds of Formula V, are all lapachone derivative compounds with antiproliferative activity, and are so closely related that a search and examination of the entire claim can be made without serious burden to the Examiner. Applicants submit that searching the compounds of Formula V, particularly in view of their similar structure and function, would not be an undue burden on the Examiner.

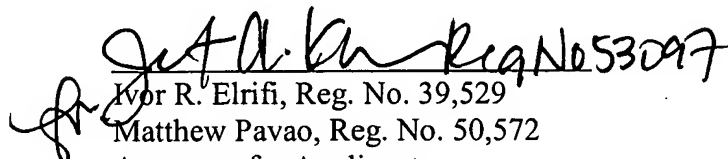
Based on the foregoing, Applicants respectfully request that the Examiner consider Formula V as a single invention.

Applicants note that the election of species is made for the purpose of examination of the claims only and that applicants maintain the right to have the full scope of the claims, as written, examined on the merits.

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This response is due on or before March 19, 2007. Please charge any additional fees that may be due to Deposit Account No. 50-0311; Attorney Reference No. 22596-537 CON (Customer Number: 30623).

Respectfully submitted,


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